

### **REMARKS**

This responds to the Office Action mailed on January 13, 2005.

Claim1 is amended; as a result, claims 1-20 are now pending in this application.

#### **Claim Objection**

Claim 1 was amended to correct an informality objected to by the Examiner, namely “a independent group” should have be written as “an independent group.” The Applicant has made this amendment above. Therefore, entry of this amendment is appropriate since it is done to correct and informality requested by the Examiner. Thus, the objection is no longer appropriate.

#### **§103 Rejection of the Claims**

Claims 1-20 were rejected under 35 USC § 103(a) as being unpatentable over Rao et al. (U.S. Patent No. 5,883,635). It is fundamental that in order to sustain an obviousness rejection that each and every step or element in the rejected claims must be taught or suggested in the proposed combination of references or single reference.

At the outset Applicant assumes that the rejections of the independent claims are based on a combination of Rao and Chatterjee (U.S. Patent No. 6,584,476) because it is clear from the Examiner’s comments that Rao lacks several teachings, and it is also clear that the Examiner is relying on Chatterjee in support of the Examiner’s conclusion that the present claims are obvious. Applicant assumes that this was a mere oversight on the part of the Examiner and therefore for purposes of expediting the review of the present application, Applicant assumes that the legal basis for the Section 103(a) rejections are being made based on Rao in view of Chatterjee. To legally support the rejections of the independent claims, the Examiner is proposing that Rao and Chatterjee be combined for purposes of rendering Applicant’s invention obvious.

In order to sustain an obviousness rejection the proposed combination of references must not run contrary to the teachings of the references, must actually work in the manner proposed by

the Examiner, and must be combined based on motivation of one of ordinary skill in the art after having read the individual references.

Here, Rao is directed toward rendering a table while Chatterjee is directed toward version control of database records or tables. The combination suggested by the Examiner does not and cannot result in Applicant's invention because the combination would result in a system of rendering data having multiple versions. Stated another way, the synchronization in Chatterjee is directed to versioning of information between records having multiple versions. The synchronization is not used to render (presentation) a table in Chatterjee; it is used to determine the correct data (content) of a record for a specific version.

One of ordinary skill in the art would not and could not have deduced that by combining Rao and Chatterjee that the processing order of Rao associated with rendering (presentation) could have been improved because the teaching of Chatterjee discloses how to synchronize disparate versions of information (content) it does not suggest in any manner that the presentation processing may be improved by grouping an operation for rendering a table based on independent groups having a same synchronization marker, such that a rendering operation processes once during a table tendering.

In other words, the combination being proposed by the Examiner could have only been achieved via improper hindsight. That is, one of ordinary skill in the art would not have been motivated and would not have achieved the Examiner's proposed combination in the manner suggested by the Examiner by reading Rao and Chatterjee. The Examiner's proposed combination could only have occurred if Applicant's disclosure was read and comprehended first by one of ordinary skill in the art. Thus, this proposed combination of Rao and Chatterjee in the manner suggested by the Examiner is improper hindsight and should be withdrawn because this is not a combination that can be achieved when the teachings of Rao and Chatterjee are combined. A Rao-Chatterjee combination results in a rendering process that also accounts for versioning between different information; it does not result in a novel processing sequence for rendering a table as does Applicant's independent claims.

Additionally, Applicant would like to point out that the Examiner seems to suggest that Rao teaches "formatting commands to provide a rendering of the grid" by indicating that Rao permits a user to perform an action and that action may be to format. Applicant disagrees with

this conclusion for a variety of reasons. First, Rao teaches rendering and does not specifically mention that a user may do this. Thus, contrary to the Examiner's conclusion the Applicant believes that Rao specifically does not teach a user providing the formatting command because Rao addresses presentation issues of data and specifically lacks reference to a user providing information in this context. Also, even assuming that Rao may suggest a user supplying formatting commands this still does not read on or teach the claimed limitation which is "providing a generic table represented by one or more formatting commands" because any provided commands in Rao do not represent a generic table.

Thus, for at least two reasons Applicant believes that the rejections should be withdrawn. First, the proposed combination of Rao and Chatterjee does not result in the claimed invention as the Examiner suggests and would not have been achieved by one of ordinary skill in the art. Secondly, Rao lacks a teaching of "providing a generic table represented by one or more formatting commands." Therefore, Applicant respectfully requests that the rejections be withdrawn and the claims allowed.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

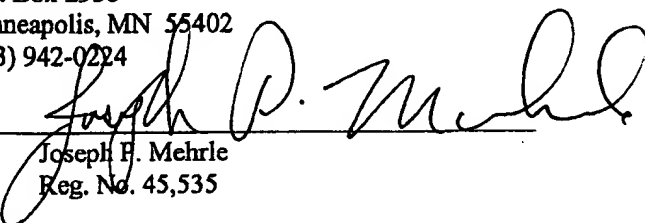
NIKOLAI GRIGORIEV

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(513) 942-0224

Date 4-13-05

By

  
Joseph F. Mehrle  
Reg. No. 45,535

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 13 day of April, 2005.

CANDIS BUENDING

Name

  
Signature